

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2007

07-2330
VOTING AGENDA MEETING
CITY COUNCIL CHAMBER, CITY HALL
MAYOR TOM LEPPERT, PRESIDING

PRESENT: [15] Leppert, Garcia, Caraway, Medrano, Neumann, Hill, Salazar, Davis,
Atkins, Kadane, Allen, Koop, Natinsky, Rasansky, Hunt

ABSENT: [0]

The meeting was called to order at 9:02 a.m.

The city secretary announced that a quorum of the city council was present.

The invocation was given by Terry White, Pastor of Marsalis Avenue Missionary Baptist Church.

The Mayor led the pledge of allegiance.

The meeting agenda, which was posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the city council had been considered the city council adjourned at 3:21 p.m.

Mayor

ATTEST:

City Secretary

The meeting agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the city council are attached to the minutes of this meeting as EXHIBIT B.

Ordinances, resolutions, reports and other records pertaining to matters considered by the city council, are filed with the city secretary as official public records and comprise EXHIBIT C to the minutes of this meeting.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2007

EXHIBIT A

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2007

EXHIBIT B

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2331

CITIZEN SPEAKERS

In accordance with the City Council Rules of Procedure, the city council provided "open microphone" opportunities for the following individuals to comment on matters that were scheduled on the city council voting agenda or to present concerns or address issues that were not matters for consideration listed on the posted meeting agenda:

OPEN MICROPHONE –BEGINNING OF MEETING:

SPEAKER: Norma Minnis, 9729 Van Dyke Rd.
REPRESENTING: Women's Issues Network
SUBJECT: Equality Day

SPEAKER: Patrick Booker, 10451 Harvest Rd.
SUBJECT: Police

SPEAKER: Gwen Gibson-Collins, 2227 Greer St.
SUBJECT: Ambulance response time

SPEAKER: Charlotte Connelly, 2736 Gladiolus Lane
REPRESENTING: Petition signers
SUBJECT: Presidential & Vice-Presidential impeachment

SPEAKER: Clara Young, 3214 Goldspier
SUBJECT: Code enforcement, apartments on Hatcher Street, bar-b-que pitts, no permits

OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:

SPEAKER: Marvin Crenshaw, 5134 Malcolm X Blvd.
REPRESENTING: J. B. Jackson Jr. Institute
SUBJECT: Elsie Faye Heggins Blvd. – Minority contracts

SPEAKER: Ozumba Lnuk-X, 4106 Vineyard Dr.
SUBJECT: Code Compliance, Dallas Police Officer and DA

SPEAKER: Frank Ward III, P. O. Box 50694
REPRESENTING: The Community At Large
SUBJECT: Revelation

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OPEN MICROPHONE – END OF MEETING – SPOKE IN THE LAST 30 DAYS:

SPEAKER: Gwain Illene Wooten, 4625 Bryan
SUBJECT: Rodrick Murria Jr., Georgia Robinson and Michael Vicks

SPEAKER: Jurline Hollis, 2832 Marjorie Ave.
REPRESENTING: Jurline Gates Hollins Campaign for Political Equality
SUBJECT: Code Enforcement Acorn and District 4

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2332

Item 1: Approval of Minutes of the August 8, 2007 City Council Meeting

Mayor Pro Tem Garcia moved to approve the minutes.

Motion seconded by Councilmember Neumann and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2333

CONSENT AGENDA

The consent agenda, consisting of agenda items 2-77 and addendum addition consent agenda items 1-13, were presented for consideration.

Mayor Leppert requested that consent agenda item 26 be considered as an individual item. Mayor Leppert stated that consent agenda item 26 be considered as an individual item later in the meeting, there being no objection voiced to Mayor Leppert's request.

Mayor Pro Tem Garcia requested that consent agenda items 30, 38 and 48 be considered as individual items. Mayor Leppert stated that consent agenda items 30, 38 and 48 be considered as individual items later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Deputy Mayor Pro Tem Caraway requested that consent agenda items 3, 7 and 27 be considered as individual items. Mayor Leppert stated that consent agenda items 3, 7 and 27 be considered as individual items later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Councilmember Neumann requested that consent agenda items 8, 14, 27, 32, 63 and 64 be considered as individual items. Mayor Leppert stated that consent agenda items 8, 14, 27, 32, 63 and 64 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Councilmember Hill requested that consent agenda item 53 be considered as an individual item. Mayor Leppert stated that consent agenda item 53 be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Councilmember Rasansky requested that consent agenda items 5, 28, 43, 49, 51, 77 and addendum addition consent agenda item 11 and 12 be considered as individual items. Mayor Leppert stated that consent agenda items 5, 28, 43, 49, 51, 77 and addendum addition consent agenda item 11 and 12 be considered as individual items later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Councilmember Koop moved to approve all items on the consent agenda with the exception of consent agenda items 3, 5, 7, 8, 14, 26, 27, 28, 30, 32, 38, 43, 48, 49, 51, 53, 63, 64, and 77, and addendum addition consent agenda item 11 and 12 which would be considered later in the meeting.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2334

Item 2: Authorize an application for and acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible costs for capital improvement projects at Dallas Love Field and Dallas Executive Airport - Not to exceed \$7,298,360 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2335

Item 3: Authorize an increase in the service contract with Recana Solutions for temporary industrial labor - \$1,250,000, from \$5,840,991 to \$7,090,991 - Financing: Current Funds

Deputy Mayor Pro Tem Caraway requested that consent agenda item 3 be considered as an individual item. Mayor Leppert stated that consent agenda item 3 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Later in the meeting, agenda item 3 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia.

After discussion, Mayor Leppert stated that based upon concerns from Deputy Mayor Pro Tem Caraway, Councilmember Davis and Councilmember Atkins, asked the City Council if they would agree to a friendly amendment to approve the item and refer back to a Committee the issue of rate paid to workers.

The City Council by general consensus agreed to accept the friendly amendment.

Mayor Leppert called the vote on Deputy Mayor Pro Tem Caraway's motion as modified by Mayor Leppert's friendly amendment to approve the item and refer back to a Committee the issue of rate paid to workers.

Mayor Leppert declared the motion as modified by his friendly amendment unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2336

Item 4: Authorize **(1)** a sixty-month service contract for solid waste refuse removal services and rental of refuse containers for City of Dallas facilities - Standard Waste Systems, Ltd. in the amount of \$726,651, and Moore Disposal Corporation in the amount of \$2,178,989, with lowest responsible bidders of four; **(2)** the rejection of bids received for recycling from Community Waste Disposal; and, **(3)** the re-advertisement for new bids - Total not to exceed \$2,905,640 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2337

Item 5: Authorize a thirty-six-month leasing contract with SUN Microsystems for the lease of computer servers, and other computer equipment through the State of Texas Department of Information Resources to support the internal hosting of the Human Resources Information System - Not to exceed \$183,085 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 5 be considered as an individual item. Mayor Leppert stated that consent agenda item 5 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 5 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Leppert, Caraway, Davis absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2338

Item 6: Authorize a thirty-six-month master agreement for the purchase of jet fuel to be used in helicopters for the Dallas Police Department with the lowest responsible bidder of three - Liberty Energy, LLC. - Not to exceed \$523,794 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2339

Item 7: Authorize a thirty-six-month service contract for the printing of water bill inserts to provide information to citizens on various City of Dallas programs - Best Press, Inc., lowest responsible bidder of three - Not to exceed \$656,392 - Financing: Water Utilities Current Funds

Deputy Mayor Pro Tem Caraway requested that consent agenda item 7 be considered as an individual item. Mayor Leppert stated that consent agenda item 7 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway's request.

Later in the meeting, agenda item 7 was brought up for consideration.

Councilmember Natinsky moved to approve the item.

Motion seconded by Councilmember Neumann.

After discussion, Mayor Pro Tem Garcia called for a vote on the motion.

Mayor Pro Tem Garcia declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No". (Leppert, Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2340

Item 8: Authorize a sixty-month service contract for janitorial service at the Dallas Fire Department training facility - All Star Cleaning USA, lowest responsible bidder of four - Not to exceed \$152,085 - Financing: Current Funds

Councilmember Neumann requested that consent agenda item 8 be considered as an individual item. Mayor Leppert stated that consent agenda item 8 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 8 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Kadane and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2341

Item 9: Authorize a thirty-six-month master agreement for dress and station wear uniforms and protective gear for the Dallas Fire Department - Nafeco in the amount of \$2,840,457, GST Public Safety Supply in the amount of \$760,486, Mag & Son LLC dba Mag & Son Clothing in the amount of \$590,675, Casco Industries, Inc. in the amount of \$507,497, Uniforms, Inc. in the amount of \$261,172, C & G Police Supply dba C & G Wholesale in the amount of \$192,354, Circle R Embroidery Co. dba Classic Cap & Embroidery in the amount of \$171,685 and Municipal Emergency Services, Inc. in the amount of \$21,725, lowest responsible bidders of ten - Total not to exceed \$5,346,051 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2342

Item 10: Authorize a twelve-month master agreement to provide animal food and supplies to the Dallas Police Department to the lowest responsible bidders of two - Dog World Services in the amount of \$81,445 and DC Lovelace, Inc., in the amount of \$1,520 - Total not to exceed \$82,965 - Financing: Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2343

Item 11: Authorize the purchase of two-three ton crew cab heavy duty trucks with fifth wheel and one thirty-two foot enclosed equipment transport trailer to be used with Regional Urban Search and Rescue Task Force - Chastang's Bayou City Ford in the amount of \$137,772, and Big Tex Trailers/Dallas in the amount of \$31,236, lowest responsible bidders of two - Total not to exceed \$169,008 - Financing: USHS-Law Enforcement and Public Safety Equipment and Training Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2344

Item 12: Authorize a one-year microfilm services contract with the United States National Archives and Records Administration (NARA) - Fort Worth Branch to microfilm essential and permanent city records in accordance with permanent preservation standards established by state law - Not to exceed \$69,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2345

Item 13: Authorize a replacement housing payment and disbursement of funds from the SHARE Program for homeowner, Lena Davis, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$70,000 - Financing: 1998-99 Community Development Grant Funds (\$27,500), 1999-2000 Community Development Grant Funds (\$20,000) and 2006-07 Community Development Grant Funds (\$22,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2346

Item 14: Authorize a replacement housing payment for homeowner, Alcide Dominique, Jr., as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$67,500 - Financing: 2006-07 Community Development Grant Funds

Councilmember Neumann requested that consent agenda item 14 be considered as an individual item. Mayor Leppert stated that consent agenda item 14 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 14 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2347

Item 15: Authorize a replacement housing payment for homeowner, A.C. Jackson, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$93,200 - Financing: 2005-06 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2348

Item 16: Authorize a replacement housing payment for homeowner, Estella Lewis, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$65,900 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2349

Item 17: Authorize a replacement housing payment for homeowner, John T. Abra, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$63,800 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2350

Item 18: Authorize a replacement housing payment for homeowner, Willie E. Brown, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$75,900 - Financing: 2006-07 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2351

Item 19: Authorize an increase in the replacement housing payment for homeowner, Clarence Jones, from \$22,500 to \$70,900, due to the inability to find a decent, safe and sanitary replacement house for the \$22,500 previously approved on February 8, 2006, by Resolution No. 06-0528 - Not to exceed \$48,400, from \$22,500 to \$70,900 - Financing: 2006-07 Community Development Grant Funds (\$48,400)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2352

Item 20: Authorize an increase in the replacement housing payment for homeowner, Pearline Day, from \$22,500 to \$64,000, due to the inability to find a decent, safe and sanitary replacement house for the \$22,500 previously approved on May 23, 2007, by Resolution No. 07-1498 - Not to exceed \$41,500, from \$22,500 to \$64,000 - Financing: 2006-07 Community Development Grant Funds (\$41,500)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2353

Item 21: An ordinance abandoning a sanitary sewer easement to TCI Woodmont Group IV, L.P., the abutting owner, containing approximately 3,886 square feet of land located near the intersection of Merit Drive and Churchill Way - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26892.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2354

Item 22: An abandoning a drainage easement to Anland 2A, L.P., the abutting owner, containing approximately 395 square feet of land located near its intersection with Continental Avenue and Stemmons Freeway - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26893.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2355

Item 23: Authorize **(1)** acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Macerich Valley View Adjacent Limited Partnership of approximately 2,132 square feet of land located near the intersection of Montfort Drive and Peterson Lane for the Montfort Drive Improvement Project in the amount of \$73,968; and **(2)** an increase in appropriations in an amount not to exceed \$59,174 in the Capital Projects Reimbursement Funds - Financing: 1998 Bond Funds (\$14,794), Capital Projects Reimbursement Funds (\$59,174 to be reimbursed by the Texas Department of Transportation)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2356

Item 24: Authorize settlement in lieu of proceeding with condemnation for a tract of land containing approximately 32 acres from Metropolitan Sand and Gravel Company, L.L.C. for the Trinity River Corridor Project located near the intersection of Elam and Pemberton Hill Roads - \$480,099 - Financing: 1998 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2357

Item 25: An ordinance authorizing a correction to Chapter 51P of the Dallas City Code to correct certain grammatical and semantic non-substantive errors - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2358

Item 26: Authorize Business Assistance Center (BACs) contracts with **(1)** Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$80,000 to continue management and operation of BAC #1 located at 4622 Maple Avenue; **(2)** Inner City Community Development Corporation in an amount not to exceed \$80,000 to continue management and operation of BAC #2 located at 4907 Spring Avenue; **(3)** Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$80,000 to continue management and operation of BAC #3 located at 2060 Singleton Boulevard; **(4)** Greater Dallas Hispanic Chamber of Commerce in an amount not to exceed \$80,000 to continue management and operation of BAC #4 located at 351 West Jefferson Boulevard; **(5)** MBA Consultants in an amount not to exceed \$80,000 to continue management and operation of BAC #5 located at 1201 West Camp Wisdom; and **(6)** Greater Dallas Asian American Chamber of Commerce Multi-Ethnic Education and Economic Development Center in an amount not to exceed \$80,000 to continue management and operation of BAC #6 located at 1327 North Peak Street - Not to exceed \$480,000 - Financing: 2007-08 Community Development Grant Funds

Mayor Leppert requested that consent agenda item 26 be considered as an individual item. Mayor Leppert stated that consent agenda item 26 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Leppert's request.

Later in the meeting, agenda item 26 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Davis and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2359

Item 27: Authorize **(1)** the second twelve-month renewal option to the contract with the Southern Dallas Development Corporation to administer the Southern Dallas Economic Development Program's Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and retaining jobs for low-to-moderate income persons; and **(2)** that any unexpended balances of program income and allocations from prior contracts be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City

Deputy Mayor Pro Tem Caraway and Councilmember Neumann requested that consent agenda item 27 be considered as an individual item. Mayor Leppert stated that consent agenda item 27 would be considered as an individual item later in the meeting, there being no objection voiced to Deputy Mayor Pro Tem Caraway and Councilmember Neumann's request.

Later in the meeting, agenda item 27 was brought up for consideration.

Deputy Mayor Pro Tem Caraway moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2360

Item 28: **Cityplace Area TIF District**

Note: Items Nos. 28 and 29 must
be considered collectively.

Authorize (1) a development agreement with Dallas Independent School District to provide funding for the design, engineering, professional services and construction of public improvements and facility space improvements for the North Dallas High School project located at 3120 North Haskell Avenue; and (2) the Cityplace Area TIF District Board of Directors to dedicate up to \$1,097,987 from the 2004 TIF Bond Funds and future TIF revenues in accordance with the development agreement - Not to exceed \$1,097,987 - Financing: Cityplace TIF District Funds and/or Tax Increment Bond Funds

Councilmember Rasansky requested that consent agenda item 28 be considered as an individual item. Mayor Leppert stated that consent agenda item 28 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 28 was brought up for consideration.

Councilmember Hunt moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia.

After discussion, Mayor Leppert called for a vote on the motion.

Mayor Leppert declared the motion adopted on a divided vote, with Councilmember Rasansky voting "No".

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2361

Item 29: **Cityplace Area TIF District**

Note: Items Nos. 28 and 29 must
be considered collectively.

A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to pay Dallas Independent School District up to \$1,097,987 for certain TIF-eligible project costs for public improvements and facility space improvements for the North Dallas High School project located at 3120 North Haskell Avenue in the Cityplace Area TIF District - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2362

Item 30: Authorize an amendment to the development agreement with Belclaire Realty, LTD, previously approved on August 23, 2006, by Resolution No. 06-2281, to (1) revise the completion date for the new construction of a mixed-use project located at 1222 North Bishop Avenue in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District); and (2) extend the completion deadline date from December 31, 2007 to April 30, 2008 - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2363

Item 31: Authorize rescission of Resolution Nos. 06-2277 and 06-2278, previously approved on August 23, 2006, that authorized a development agreement and intent to reimburse La Zona Verde, LLC to provide funding for TIF-eligible project costs related to the development of a performing arts venue (Green Zone Performing Arts Center) in Tax Increment Financing Reinvestment Zone Number Eight (Design District TIF District); with the dedication of up to \$217,000 from Design District TIF revenues in accordance with the development agreement - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2364

Item 32: Authorize Supplemental Agreement No. 3 to the development agreement with Forest City previously approved on June 13, 2007, Resolution No. 07-1821, Section 2B, to (1) clarify that Forest City shall initiate a due diligence process on the Atmos Complex and advise the City by December 31, 2007, of their future intentions regarding redevelopment of the property; (2) provide a timetable, including a construction schedule and completion date for the Atmos Complex if Forest City decides to go forward with such redevelopment and, (3) that if Forest City decides not to go forward with such redevelopment at that time, then Forest City maintains its election currently described in Section 3.03 of the Development Agreement pertaining to ownership, payments and reversion of the Atmos Complex until October 31, 2009 - Financing: No cost consideration to the City

Councilmember Neumann requested that consent agenda item 32 be considered as an individual item. Mayor Leppert stated that consent agenda item 32 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 32 was brought up for consideration.

Councilmember Hunt moved to defer the item until the September 12, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2365

Item 33: Authorize a five-year lease agreement with Larissa Lake June, Ltd. for approximately 6,000 square feet of office space located at 10325 Lake June Road, Suite 148, to be used as a Women, Infants and Children Clinic for the period October 1, 2007 through September 30, 2012 - Not to exceed \$390,000 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2366

Item 34: Authorize **(1)** the discharge of the secured, no-interest, forgivable note with Housing Crisis Center in the amount of \$250,000; and **(2)** the release of lien on real property located at 629 North Peak Street - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2367

Item 35: Authorize a contract with Community Dental Care for the continuation of dental health services to low-income children through age 19 and persons over age 60 for the period October 1, 2007 through September 30, 2008 - Not to exceed \$675,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2368

Item 36: Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2007 through September 30, 2008 - Not to exceed \$11,116,800 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2369

Item 37: Authorize a contract with the Department of State Health Services to continue the operations of a training center for the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2007 through September 30, 2008 - Not to exceed \$87,365 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2370

Item 38: Authorize a professional services contract with Temporary Medical Staffing, Inc. to provide a phlebotomist to obtain blood specimens for lead screening for residents of the City of Dallas for the period October 1, 2007 through September 30, 2008 - Not to exceed \$55,000 - Financing: Current Funds (subject to appropriations)

Mayor Pro Tem Garcia requested that consent agenda item 38 be considered as an individual item. Mayor Leppert stated that consent agenda item 38 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia's request.

Later in the meeting, agenda item 38 was brought up for consideration.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2371

Item 39: Authorize a third amendment to the lease agreement with Dockside Threading, Inc. for a five-month and sixteen days holdover period through December 31, 2007 for approximately 3,843 square feet of office space located at 1111 West Ledbetter Drive, Suite 900 for the continued operation of the Women, Infants and Children Clinic - Not to exceed \$20,280 - Financing: Department of State Health Services Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2372

Item 40: Authorize a twelve-month contract, with two twelve-month renewal options, with AIDS Interfaith Network, Inc. to provide a citywide HIV/AIDS education, outreach, and prevention program targeting primarily high-risk African American and Hispanic populations for the period October 1, 2007 through September 30, 2008 - Not to exceed \$53,016 - Financing: 2007-08 Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2373

Item 41: Authorize a twelve-month contract, with two twelve-month renewal options, with Resource Center of Dallas, Inc. to provide a citywide HIV/AIDS education, outreach, and prevention program targeting primarily high-risk Hispanic populations for the period October 1, 2007 through September 30, 2008 - Not to exceed \$75,000 - Financing: 2007-08 Community Development Grant Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2374

Item 42: Authorize an Interlocal Agreement with Dallas County Health and Human Services for the continuation of the AIDS Investigation Program for the period October 1, 2007 through September 30, 2008 - Not to exceed \$44,484 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2375

Item 43: Authorize an Interlocal Agreement with Dallas County Health and Human Services to provide the professional services of its Health Authority to the City for the period October 1, 2007 through September 30, 2009 - Not to exceed \$20,000 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky requested that consent agenda item 43 be considered as an individual item. Mayor Leppert stated that consent agenda item 43 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 43 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2376

Item 44: Authorize an Interlocal Agreement with El Centro Community College to provide opportunities for students enrolled in the Vocational Nursing Program to gain practical work experience by assisting in the City of Dallas Health Clinics for the period September 1, 2007 through August 31, 2008 - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2377

Item 45: Authorize an Interlocal Agreement with the University of Texas Southwestern Medical Center at Dallas for the continuation of a Minority AIDS Outreach Program for the period October 1, 2007 through September 30, 2008 - Not to exceed \$58,500 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2378

Item 46: Authorize the first twelve-month renewal option to the contract with Homeward Bound, Inc. to provide residential substance abuse treatment services for low-income medically indigent adults for the period October 1, 2007 through September 30, 2008 - Not to exceed \$150,000 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2379

Item 47: Authorize the first twelve-month renewal option to the contract with Nexus Recovery Center, Inc. to provide residential substance abuse treatment services for low-income uninsured adult females for the period October 1, 2007 through September 30, 2008 - Not to exceed \$63,840 - Financing: Current Funds (subject to appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2380

Item 48: Authorize the second twelve-month renewal option to the contract with Phoenix Houses of Texas, Inc. for outpatient substance abuse treatment services for low-income medically indigent adolescents for the period October 1, 2007 through September 30, 2008 - Not to exceed \$75,000 - Financing: Current Funds (subject to appropriations)

Mayor Pro Tem Garcia requested that consent agenda item 48 be considered as an individual item. Mayor Leppert stated that consent agenda item 48 would be considered as an individual item later in the meeting, there being no objection voiced to Mayor Pro Tem Garcia 's request.

Later in the meeting, agenda item 48 was brought up for consideration.

Mayor Pro Tem Garcia moved to defer the item until the September 12, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Medrano and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2381

Item 49: Authorize a professional services contract with Quimby McCoy Preservation Architecture, LLP for the waterproofing and mechanical improvements at the Hall of State Building at Fair Park - \$931,100 - Financing: 2006 Bond Funds

Councilmember Rasansky requested that consent agenda item 49 be considered as an individual item. Mayor Leppert stated that consent agenda item 49 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 49 was brought up for consideration.

Councilmember Davis moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2382

Item 50: Authorize Supplemental Agreement No. 1 to the professional services contract with Conley Group, Inc. to provide design and construction administration services for water infiltration remediation and roof replacement at the African American Museum located at 3536 Grand Avenue - \$78,800, from \$9,600 to \$88,400 - Financing: 2006 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2383

Item 51: Ratify an emergency purchase of a replacement chiller for the Fire Training building B located at the Dallas Fire-Rescue Training Center located at 5000 Dolphin Road - Carrier Sales and Distribution, LLC - \$43,885 - Financing: Current Funds

Councilmember Rasansky requested that consent agenda item 51 be considered as an individual item. Mayor Leppert stated that consent agenda item 51 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 51 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Allen and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2384

Item 52: Authorize a renewal to the contract with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2007 through August 31, 2008 - Not to exceed \$413,078 - Financing: Current Funds (\$378,655 subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2385

Item 53: Authorize a third amendment to the land bank contract with the Dallas Housing Acquisition and Development Corporation to **(1)** extend the term of the contract to September 30, 2008; **(2)** provide that the City may refer up to 300 parcels of real property for filing of tax lawsuits by March 31, 2008; **(3)** provide pro bono legal services to prosecute the lawsuits during the extended term of the contract; and **(4)** amend the requirements for environmental due diligence in the contract
- Financing: No cost consideration to the City

Councilmember Hill requested that consent agenda item 53 be considered as an individual item. Mayor Leppert stated that consent agenda item 53 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Hill's request.

Later in the meeting, agenda item 53 was brought up for consideration.

Councilmember Hill moved to approve the item.

Motion seconded by Councilmember Medrano and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2386

Item 54: Authorize **(1)** a public hearing to be held on September 12, 2007 to receive comments on the proposed private sale by quitclaim deed of one unimproved property located at 2619 Custer acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization; and, at the close of the public hearing, **(2)** consideration of approval of the sale of this property - Financing: No cost consideration to the City

Deleted on the addendum to the agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2387

Item 55: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas City Homes for the construction of affordable houses, **(2)** the sale of 20 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas City Homes; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2388

Item 56: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses, **(2)** the sale of 2 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2389

Item 57: Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Neighborhood Alliance for Habitat for the construction of affordable houses, **(2)** the sale of 32 vacant lots from Dallas Housing Acquisition and Development Corporation to Dallas Neighborhood Alliance for Habitat; and, **(3)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2390

Item 58: Authorize an amendment to paragraph 8J of the 1968 Contract and Agreement between the cities of Dallas and Fort Worth to move back by one month the respective dates by which the Dallas-Fort Worth International Airport Board's annual budget must be submitted to and approved by the owner cities, changing the submission and approval deadlines to August 15th and September 30th of each year - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2391

Item 59: Authorize approval of the 2007-08 Dallas-Fort Worth International Airport Board Annual Budget - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2392

Item 60: Authorize the acceptance of a grant from the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2007 through August 31, 2008; and execution of the grant agreement - Not to exceed ~~\$360,438~~ \$360,541 - Financing: Texas State Library and Archives Commission Grant Funds

Corrected on the addendum to the agenda.

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2393

Item 61: Authorize a contract for the fabrication and installation of a site-specific artwork for the new Fire Station No. 42 located at 3333 West Mockingbird Lane - Bruce Taylor - Not to exceed \$31,784 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2394

Item 62: Authorize a thirty-six-month renewal and extension of the lease agreement with Galt II, L.P. for the continued use of approximately 1,121 square feet of office space located near Stemmons Freeway and Empire Central to be used for Police Department office space from September 1, 2007 through August 31, 2010 - \$53,809 - Financing: Current Funds (subject to annual appropriations)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2395

Item 63: Authorize a contract for the construction of street paving, storm drainage, water and wastewater main improvements on Motor Street from Medical Center Drive to Harry Hines Boulevard - Ed Bell Construction Company, lowest responsible bidder of three - \$2,042,000 - Financing: 2003 Bond Funds (\$1,725,390), Water Utilities Capital Improvement Funds (\$283,220), and Water Utilities Capital Construction Funds (\$33,390)

Councilmember Neumann requested that consent agenda item 63 be considered as an individual item. Mayor Leppert stated that consent agenda item 63 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 63 was brought up for consideration.

Councilmember Medrano moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2396

Item 64: Authorize a contract for the construction of the replacement Walnut Hill Branch Library located at the corner of Webb Chapel Road and El Centro Drive - Core Construction, best value proposer of seven - \$4,104,100 - Financing: 2003 Bond Funds

Councilmember Neumann requested that consent agenda item 64 be considered as an individual item. Mayor Leppert stated that consent agenda item 64 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Neumann's request.

Later in the meeting, agenda item 64 was brought up for consideration.

Councilmember Neumann moved to approve the item.

Motion seconded by Councilmember Salazar and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2397

Item 65: Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Lippitt Avenue from Easton Road to Lochwood Boulevard - Jeske Construction Company, lowest responsible bidder of six - \$1,976,415 - Financing: 2003 Bond Funds (\$1,104,095), Water Utilities Capital Improvement Funds (\$836,525) and Water Utilities Capital Construction Funds (\$35,795)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2398

Item 66: Authorize an additional payment to the Texas Department of Transportation for the City's share of design costs for paving and drainage improvements on Hatcher Street from Haskell Avenue to Spring Avenue - \$120,000 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2399

Item 67: Authorize funding for payment to Dallas County for the City of Dallas' local participation costs for the construction of Congestion Mitigation Air Quality intersection improvement projects (list attached) - \$638,150 - Financing: 1995 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2400

Item 68: Authorize **(1)** an increase in the contract with Centex Construction, LLC for exterior restoration and shell construction at 1530 and 1524 Main Street in an amount not to exceed \$111,683, from \$8,024,291 to \$8,135,974; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; and **(3)** an increase in the payment to TIF Hotel, Inc. in an amount not to exceed \$593,744, from \$1,681,667 to \$2,275,411 for design, reimbursables and construction management - Total not to exceed \$705,427 - Financing: City Center TIF District Funds (to be advanced by the developer)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2401-01

07-2401-02

Item 69: Authorize **(1)** street paving, storm drainage, water and wastewater main improvements for Street Group 03-444; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 26, 2007, to receive comments (list attached) - Financing: No cost consideration to the City

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2402

Item 70: Authorize **(1)** an increase in the contract with Flores Technical Services, Inc. to provide additional construction work necessary for the replacement of the Airport Access Control System at Dallas Love Field, in an amount not to exceed \$176,335, from \$4,837,487 to \$5,013,822; and **(2)** an increase in appropriations in an amount not to exceed \$176,335 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Total not to exceed \$176,335 - Financing: Aviation Capital Construction Funds (\$44,084), Federal Aviation Administration Airport Improvement Grant Funds (\$132,251)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2403

Item 71: Authorize a professional services contract with Oncor Electric Delivery for placement of power poles and new electrical service adjacent to the south levee of the McCommas Bluff Landfill - Not to exceed \$150,000 - Financing: 2003 Bond Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2404

Item 72: Authorize a contract for the construction of a new Transfer Pump Station No. 3 at the East Side Water Treatment Plant - BAR Constructors, Inc., lowest responsible bidder of three - \$38,520,700 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2405

Item 73: Authorize a contract for the installation of water and wastewater mains at 22 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of two - \$5,853,083 - Financing: Water Utilities Capital Improvement Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2406

Item 74: Authorize an Advanced Funding Agreement with the Texas Department of Transportation for water main replacements and water and wastewater adjustments in Montfort Drive and Montfort Place from Peterson Lane to Alpha Road - \$272,971 - Financing: Water Utilities Capital Improvement Funds (\$260,810), Water Utilities Capital Construction Funds (\$12,161)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2407

Item 75: Authorize continuation of the contract with the United States Geological Survey for operation of streamflow and water quality gauging stations in the Trinity River basin, a bromide loading study in the Red River basin and a lake evaporation study on Lake Lewisville from October 1, 2007 through September 30, 2008 - \$259,392 - Financing: Water Utilities Current Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2408

Item 76: Authorize payment to the Town of Highland Park in accordance with the current Interlocal Agreement between the City of Dallas and the Town of Highland Park for the construction of a 24-inch and 30-inch water main and water main appurtenance adjustments in Mockingbird Lane from Westside Drive to Airline Road - \$5,248,811 - Financing: Water Utilities Capital Improvement Funds (\$5,229,632), Water Utilities Capital Construction Funds (\$19,179)

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2409

Item 77: Authorize Supplemental Agreement No. 2 to the professional services contract with HDR Engineering, Inc., to provide additional hydrologic and engineering services in support of an amendment to Dallas' Lake Ray Hubbard water rights permit - \$240,000, from \$328,000 to \$568,000 - Financing: Water Utilities Capital Construction Funds

Councilmember Rasansky requested that consent agenda item 77 be considered as an individual item. Mayor Leppert stated that consent agenda item 77 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 77 was brought up for consideration.

Councilmember Rasansky moved to approve the item.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2410

Item 78: Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

There were no considerations of appointments to boards and commissions.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2411

Item 79: Consideration and appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

The city secretary distributed a report showing the renominees/nominees for the 2007-2009 board term for the DART board.

Councilmember Koop read memorandums from Deputy Mayor Pro Tem Caraway and Councilmember Allen withdrawing Eddie Reeves, nominee Place 08 and Councilmember Allen withdrawing John P. Dean, nominee Place 06, for DART board. Further, Beverly Mitchell-Brooks, nominee Place 06, did not meet the qualifications for service on the DART board.

After discussion, Councilmember Koop moved to reappoint/appoint the following five individuals to the DART Board for 2007-2009 term to expire July 1, 2009:

Place 03	John Scott Carlson
Place 04	Lynn Flint Shaw
Place 05	Pamela Dunlop Gates
Place 06	Mingtzong "William" Tsao
Place 07	William M. Velasco II

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted.

The following individuals addressed the city council regarding the nominees for Place 08:

Ester Davis, 2204 Millermore St., representing Senior Affairs, Dallas I Media
Frederick Lewis, 7707 Santa Rosa, representing Pastor of Adams Chapel AME Church
Kenneth Day, 4206 Swiss Ave., representing DART – ATU Local 1338
Alfred Walker Jr., 1403 Oxbox Dr., representing New Hope Baptist Church

Mayor Leppert announced that ballots will be distributed to vote for one of the two nominees for Place 08 on the DART board.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

07-2411

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Later in the meeting, Mayor Leppert received the results from the City Secretary of the balloting for Place 08 and announced that Jerry Christian received the majority of the vote to be appointed to Place 08 on the DART board.

Councilmember Hill requested the City Secretary read the results of the balloting for each nominee for Place 08.

The City Secretary announced the following results of the balloting for Place 08 for the DART board.

	FOR		FOR
Mayor Leppert	Jerry L. Christian	Councilmember Medrano	Joyce Foreman
Mayor Pro Tem Garcia	Jerry L. Christian	Councilmember Hill	Joyce Foreman
Deputy Mayor Pro Caraway	Jerry L. Christian	Councilmember Salazar	Joyce Foreman
Councilmember Neumann	Jerry L. Christian	Councilmember Davis	Joyce Foreman
Councilmember Atkins	Jerry L. Christian	Councilmember Koop	Joyce Foreman
Councilmember Kadane	Jerry L. Christian	Councilmember Rasansky	Joyce Foreman
Councilmember Allen	Jerry L. Christian	Councilmember Hunt	Joyce Foreman
Councilmember Natinsky	Jerry L. Christian		

The City Secretary announced that Jerry L. Christian received eight (8) votes and Joyce Foreman received seven (7) votes.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2412

Item 80: Authorize a thirty-six month renewal to the contract for on-going support of the Lawson Human Resources and payroll software, and end-user licenses to support the Human Resources Information System with Lawson Software, Incorporated for the period October 1, 2007 through September 30, 2010 - Sole Source - Not to exceed \$588,426 - Financing: Current Funds (subject to annual appropriations)

Councilmember Rasansky moved to approve the item.

Motion seconded by Councilmember Natinsky and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2413

CONSENT ZONING DOCKET

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

Agenda items 83 and 86 were removed from the consent zoning docket, to be considered as individual hearings.

Agenda item 81: Zoning Case Z056-226 (WE)

Agenda item 82: Zoning Case Z067-241 (WE)

~~Agenda item 83: Zoning Case Z067-242 (JH) [considered individually]~~

Agenda item 84: Zoning Case Z067-253 (WE)

Agenda item 85: Zoning Case Z067-184 (JH)

~~Agenda item 86: Zoning Case Z067-214 (JH) [considered individually]~~

In the zoning cases on the consent zoning docket, the city plan commission recommended approval of the proposed changes in zoning.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Neumann moved to close the public hearing, accept the recommendations of the city plan commission on the consent zoning cases and pass the ordinances, subject to a site plan and conditions submitted by the applicant as presented as part of the consent zoning docket.

Motion seconded by Councilmember Koop and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2414

Item 81: Zoning Case Z056-226 (WE)

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

A public hearing was called on zoning case Z056-226 (WE) an application for an MC-2 Multiple Commercial District on property zoned an LO-2 Limited Office District on the northwest corner of Preston Road and Lyndon B. Johnson Freeway (I-635) and an ordinance granting an MU-1 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant

(The staff and city plan commission recommended approval of an MU-1 Mixed Use District, subject to deed restrictions volunteered by the applicant in lieu of an MC-2 Multiple Commercial District)

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26895.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2415

Item 82: Zoning Case Z067-241 (WE)

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

A public hearing was called on zoning case Z067-241 (WE) an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District, between Denton Drive and Maple Avenue, east of Bomar Avenue

(The staff and city plan commission recommended approval)

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26896.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2416

Item 83: Zoning Case Z067-242 (JH)

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

Councilmember Rasansky requested that zoning consent item 83 be considered as an individual item. Mayor Leppert stated that zoning consent item 83 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, agenda item 83 was brought up for consideration.

A public hearing was called on zoning case Z067-242 (JH) an application for and an ordinance granting a CR Community Retail District on property zoned an LO-1 Limited Office District on the west side of Marsh Lane, north of Walnut Hill Lane

(The staff and city plan commission recommended approval)

No one appeared in opposition to the city plan commission's recommendation:

Appearing in favor of the city plan commission's recommendation:

Marc Jennings, 4246 Ridge Rd.

Councilmember Rasansky moved to deny the application.

Motion seconded by Councilmember Salazar and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2417

Item 84: Zoning Case Z067-253 (WE)

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

A public hearing was called on zoning case Z067-253 (WE), an application for and an ordinance granting an amendment to Specific Use Permit No. 599 for a private school on property zoned an R-7.5(A) Single Family District on the west side of Abrams Road, south of Walnut Hill Lane

(The staff and city plan commission recommended approval, subject to a site plan and conditions)

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26897.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2418

Item 85: Zoning Case Z067-184 (JH)

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

A public hearing was called on zoning case Z067-184 (JH), an application for and an ordinance granting the renewal of and amendment to Specific Use Permit No. 1581 on property zoned a TH-3(A) Townhouse District on the northwest side of Ryan Road, southwest of Garapan Drive

(The staff and city plan commission recommended approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions)

Approved as part of the consent zoning docket.

Assigned ORDINANCE NO. 26898.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2419

Item 86: Zoning Case Z067-214 (JH)

The consent zoning docket consisting of agenda items 81-86 were presented for consideration.

Councilmember Atkins requested that zoning consent item 86 be considered as an individual item. Mayor Leppert stated that zoning consent item 86 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Atkins' request.

Later in the meeting, agenda item 86 was brought up for consideration.

A public hearing was called on zoning case Z067-214 (JH), an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an NO(A) Neighborhood Office District and a GO(A) General Office District on the north side of Wheatland Road, east of West Virginia Drive

(The staff and city plan commission recommended approval)

Appearing in opposition to the city plan commission's recommendation:

Godfrey Yamoch, 5981 Arapaho Dr., representing Molaville Management Inc.

Appearing in favor of the city plan commission's recommendation:

Matthew Cragun, 1601 East Lamar Blvd., Arlington, TX, representing O'Donald Engineering Co.

Councilmember Atkins moved to continue the public hearing and hold under advisement until the September 26, 2007 voting agenda meeting of the city council.

Motion seconded by Councilmember Natinsky and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2420

Item 87: Zoning Case Z056-252 (RB) INDIVIDUAL

A public hearing was called on zoning case Z056-252 (RB), an application for a Planned Development District for MF-2(A) Multifamily District Uses on property zoned a CR Community Retail District, located on the northeast line of Emerald Isle, north of Garland Road

(The staff recommended approval, subject to a conceptual plan and conditions)

Theresa O'Donnell, director of development services, reminded the city council that in accordance with subparagraphs (c)(2)(A) and (c)(2)(B) of Section 51A-4.701 of the development code, council approval of the application would require the favorable vote of three-fourths of all members of the city council in that the application for a change in zoning had been recommended for approval by the city plan commission, and a written protest against the change in zoning had been signed by the owners of 20 percent or more of either the land in the area of the request or land within 200 feet of the area of the request, and the protest had been filed with the director of development services.

Appearing in opposition to the city plan commission's recommendation:

William Cothrum, 900 N. Jackson St. representing the applicant
Peyman Horri, 5211 Richard Ave., representing the owner

Appearing in favor of the city plan commission's recommendation:

Mark Wilson, 9258 Biscayne
Brad Rogers, 1306 El Patio Dr., President of the Neighborhood Association
Mary Griggs, 8817 Grenore, representing Emerald Isle Neighborhood
Charles McGee, 9037 Groveland Dr.
Norma Minnis, 9729 Van Dyke
Kurt Kretsinger, 9316 W. Lake Highlands Dr.

Councilmember Kadane moved to deny the application without prejudice.

Motion seconded by Councilmember Hunt and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2421

Item 88: Zoning Case Z067-144 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z067-144 (OTH), an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District on the south side of Umphress Road, east of Jim Miller Road

(The staff recommended approval, for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions)

Note: This item was considered by the City Council at a public hearing on June 27, 2007, and was taken under advisement until August 22, 2007, with the public hearing open.

No one appeared in opposition to the city plan commission's recommendation.

Appearing in favor of the city plan commission's recommendation:

Peter Kavanagh, 1620 Haudley, representing the applicant

Councilmember Neumann moved to close the public hearing, and accept the recommendation of the city plan commission and pass the ordinance.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted. (Caraway absent when vote taken)

Assigned ORDINANCE NO. 26899.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2422

Item 89: Zoning Case Z056-311 (OTH) INDIVIDUAL

A public hearing was called on zoning case Z056-311 (OTH), an application for and an ordinance granting an IM Industrial Manufacturing and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the northeast corner of Simpson Stuart and Interstate 45

(The city plan commission recommended approval, subject to deed restrictions volunteered by the applicant)

Note: This item was considered by the City Council at a public hearing on June 27, 2007, and was taken under advisement until August 22, 2007, with the public hearing open.

Appearing in opposition to the city plan commission's recommendation:

Neely Kerr, 2306 Millmar

No one appeared in favor of the city plan commission's recommendation.

Councilmember Hill moved to remand back to the city plan commission for consideration as a planned development district.

Motion seconded by Councilmember Davis and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2423

Item 90: Zoning Case Z056-284 (RB) INDIVIDUAL

A public hearing was called on zoning case Z056-284 (RB), an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north quadrant of Kings Road and Fairmount Street

(The staff and city plan commission recommended approval, subject to a conceptual plan and conditions)

Note: This item was considered by the City Council at public hearings on February 28, March 28, April 25 and June 27, 2007, and was taken under advisement until August 22, 2007, with the public hearing open.

No one appeared in opposition to or in favor of the city plan commission's recommendation.

Councilmember Medrano moved to deny the application with prejudice.

Motion seconded by Councilmember Salazar and unanimously adopted. (Caraway absent when vote taken)

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2424

Item 91: A public hearing to receive comments in preparation of the FY 2007-08 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City

The following individuals addressed the city council regarding the item:

Fernando Romano, 1515 Young St., representing Dallas I Media Network
Tim Livingson, 5502 Ridgedale Ave., representing Dallas I Media Network
Ernest Mason, 1839 Southerland Ave., representing Dallas I Media Network
Wayne Meachum, 1707 Timbergrove, representing Lions Club
John Morris, 2312 E. Kiest Blvd., representing the Community
Marvin Crenshaw, 5134 Malcolm X Blvd.

Councilmember Kadane moved to close the public hearing.

Motion seconded by Councilmember Hunt and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2425

Item 92: A benefit assessment hearing to receive comments on sidewalk paving for Sidewalk Group 03-131, and at the close of the hearing, authorize an ordinance levying benefit assessments (list attached) - Financing: No cost consideration to the City

Mayor Pro Tem Garcia moved to close the hearing and approve the ordinance.

Motion seconded by Deputy Mayor Pro Tem Caraway and unanimously adopted.

Assigned ORDINANCE NO. 26900.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2426

Addendum addition 1: An ordinance abandoning a portion of an alley to Dallas Jewish Coalition, Inc. and LakeTower Properties, L.P., the abutting owners, containing approximately 1,563 square feet of land located near the intersection of Akard and Griffin Streets, and authorizing the quitclaim - Revenue: \$17,600 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26901.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2427

Addendum addition 2: An ordinance abandoning a portion of Pleasant Valley Drive to Willis M. Deviney and Vanessa G. Deviney, the abutting owners, containing approximately 545 square feet of land located near its intersection with Cross Creek Drive, and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26902.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2428

Addendum addition 3: An ordinance closing a portion of Elihu Street at its intersection with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Transit System and providing for the dedication of approximately 2,578 square feet of land needed for street right-of-way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26903.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2429

Addendum addition 4: An ordinance closing a portion of Pacific Avenue at its intersection with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Transit System - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26904.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2430

Addendum addition 5: An ordinance closing a portion of Peabody Avenue at its intersection with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Transit System and providing for the dedication of approximately 3,717 square feet of land needed for street right-of-way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26905.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2431

Addendum addition 6: An ordinance closing a portion of Tuskegee Street at its intersection with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Transit System and providing for the dedication of approximately 1,880 square feet of land needed for street right-of-way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26906.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2432

Addendum addition 7: An ordinance closing portions of Carpenter Avenue and Reed Lane at their intersections with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Transit System and providing for the dedication of approximately 11,502 square feet of land needed for street right-of-way -
Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26907.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2433

Addendum addition 8: An ordinance closing portions of South Boulevard and Trezevant Street located at their intersections with the Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Transit System and providing for the dedication of approximately 8,293 square feet of land needed for street right-of-way - Financing: No cost consideration to the City

Approved as part of the consent agenda.

Assigned ORDINANCE NO. 26908.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2434

Addendum addition 9: Authorize acquisition, from Anthony R. Lovgren, of approximately 43,560 square feet of land improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$275,330 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2435

Addendum addition 10: Authorize acquisition, from Darren Blaine Crowe and Barbara Crowe, of approximately 76,464 square feet of land improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$306,106 - Financing: Water Utilities Capital Construction Funds

Approved as part of the consent agenda.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2436

Addendum addition 11: Authorize the quitclaim of 18 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$215,691

Councilmember Rasansky requested that addendum addition consent agenda item 11 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 11 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 11 was brought up for consideration.

Councilmember Rasansky moved to approve the item with the exception that Parcel Numbers 5 (5016 Beeman) and 10 (4509 Luzon) be withdrawn from the list and return back to staff for further consideration.

Motion seconded by Mayor Pro Tem Garcia and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2437

Addendum addition 12: Authorize **(1)** an amendment to reduce the loan from All American Investment Group, LLC in the amount of (\$2,550,073), from \$5,303,061 to \$2,752,988 to be repaid, plus interest, from electric and natural gas savings; **(2)** Supplemental Agreement No. 2 to the contract with Ameresco, Inc. for a reduction in the scope of work for the energy conservation related projects at Dallas Love Field, in the amount of (\$2,550,073), from \$5,303,061 to \$2,752,988, and **(3)** reduction of performance assurance support services in the amount of (\$379,956), from \$410,063 to \$30,107 to be repaid from electric and natural gas savings - Total reduction not to exceed (\$2,930,029) - Financing: Loans from All American Investment Group, LLC (\$2,550,073); Aviation Current Funds (\$379,956)

Councilmember Rasansky requested that addendum addition consent agenda item 12 be considered as an individual item. Mayor Leppert stated that addendum addition consent agenda item 12 would be considered as an individual item later in the meeting, there being no objection voiced to Councilmember Rasansky's request.

Later in the meeting, addendum addition consent agenda item 12 was brought up for consideration.

Councilmember Rasansky announced that he had a conflict of interest and would abstain from voting or participating in any discussion. Councilmember Rasansky left the city council chamber.

Mayor Pro Tem Garcia moved to approve the item.

Motion seconded by Councilmember Koop and unanimously adopted.

OFFICIAL ACTION OF THE DALLAS CITY COUNCIL

AUGUST 22, 2007

07-2438

Addendum addition 13: Authorize **(1)** acceptance of a mediation settlement agreement between the City of Dallas, Thos. S. Byrne Ltd. and Halff Associates, Inc. for wall repairs at the Latino Cultural Center, located at 2600 Live Oak Street; **(2)** the receipt and deposit of funds from Halff Associates, Inc. for their share of the mediated cost for the wall repairs in an amount not to exceed \$85,000; and **(3)** an increase in appropriations in the amount of \$85,000 in the Capital Projects Reimbursement Fund - Financing: Private Funds

Approved as part of the consent agenda.

MINUTES OF THE DALLAS CITY COUNCIL
WEDNESDAY, AUGUST 22, 2007

EXHIBIT C

